



FACT SHEET

Module 20

Graduated Driver Licensing (GDL)

The Graduated Driver Licensing Law

Effective July 1, 2006

The law applies to a teen applying for a driver's license on or after July 1, 2006, and is under 18 years of age at the time of the application, unless the person was issued an instruction permit, traffic education learner's license, or traffic education permit prior to July 1, 2006.

The purpose of Montana's Graduated Driver License Program is to allow teens under 18 years of age to progressively develop and improve their driving skills in the safest possible environment, and improve highway safety by reducing the disproportionately high incidence of motor vehicle crashes involving minors.

Prerequisites for issuance of a Montana driver's license to a minor

The following prerequisites are required prior to obtaining a license before the age of 18:

- The instruction permit or traffic education learner's license has been held for a period of not less than six months;
- The teen driver passed the state's road test or a skills test;
- The teen's parent or legal guardian provides written certification that states that the teen driver has had at least 50 hours of driving experience, 10 of which were at night, during which the person was supervised by a parent, a legal guardian, or a person at least 18 years of age holding a valid driver's license, with the consent of the parent or legal guardian.

The teen's parent or legal guardian provides written certification that states that, during the six-month period immediately preceding application for a driver's license, the teen has not been convicted of a traffic violation or convicted of or adjudicated for an offense involving the use of alcohol or drugs and that the teen has no pending traffic, alcohol, or drug citations.

- If written certification can not be provided, the department may extend the person's instruction permit or traffic education learner's license for an additional one-year period or until the person's 18th birthday, whichever occurs first.

These prerequisites do not apply to:

- a person under 18 years of age who has been licensed in another state for at least six months and surrenders a valid driver's license from that state, or
- a person under 18 years of age who, at the time of application for a driver's license, is an enrollee of a Job Corps Program located in Montana. The department may require the applicant to provide current documentation of the applicant's Job Corps Program enrollment status.

First-Year Restrictions

A restricted licensee includes a teen under 18 years of age who holds a motorcycle-only endorsement issued by the department and the term "motor vehicle" includes a motorcycle, except when otherwise noted.

The following restrictions are in effect for one year from the date of issuance of the license or until the teen driver is 18 years of age, whichever occurs first:

- Each occupant of the motor vehicle must wear a properly adjusted and fastened seat belt, or be properly restrained in a child safety restraint. The number of occupants may not exceed the number of seat belts in the vehicle.

- A restricted licensee currently enrolled in a Job Corps Program in Montana, may operate a motor vehicle with more than one passenger under 18 years of age, without being supervised by a licensed driver at least 18 years of age, if the teen is operating a motor vehicle as part of the Job Corp's training program.

The first six months of the one-year restriction period, a teen driver may not operate a motor vehicle with more than one passenger who is under 18 years of age unless:

- the teen is supervised by a licensed driver who is at least 18 years of age and who is the only passenger in the front seat of the motor vehicle,
- the additional passengers under 18 years of age are members of the teen driver's family and only one passenger is in the front seat of the motor vehicle with the restricted licensee, or
- a restricted licensee may not operate a motorcycle with a passenger who is under 18 years of age.

The second six months of the one-year restriction period, a teen driver may not operate a motor vehicle with more than three passengers who are under 21 years of age unless:

- the restricted licensee is supervised by a licensed driver who is at least 18 years of age, or
- the additional passengers under 18 years of age are members of the teen driver's family.

Nighttime Driving Restrictions

A restricted licensee may not operate a motor vehicle between the hours of 11:00 p.m. and 5:00 a.m. unless the restricted licensee is:

- accompanied by a licensed driver who is 18 years of age or older seated in the front seat of the motor vehicle or if the restricted licensee is operating a motorcycle, the restricted licensee is under the immediate and proximate supervision of a licensed driver who is 18 years of age or older and is operating a separate motorcycle or other motor vehicle,
- driving to and from home to the place of employment, or driving in the course and scope of employment,
- driving to and from home to the teen's school-sponsored event,
- driving to and from home to the teen's school where school-provided transportation is used to and from the event,
- driving to and from home to an event sponsored by a religious organization,
- driving for a purpose related to a medical emergency, fire emergency, or law enforcement-related emergency,
- driving for the sole purpose of transporting farm or ranch products, machinery, or supplies within 150 miles of a farm or ranch headquarters,
- an emancipated minor or
- driving under a specific authorization for a specific purpose from the restricted licensee's parent or legal guardian. A peace officer may verify the authorization by contacting the parent or legal guardian.

The following penalties are given for violating the Restricted License Requirements

- A person convicted under this section shall perform not less than 20 hours or more than 60 hours of community service.

License Suspension

- Upon receipt of a report of a second or subsequent conviction for violation of the restricted license, the teen's driver's license will be suspended for six months.